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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) NO. 23-CR-00110-YGR
14 Plaintiff,)
15 v.) STIPULATION TO CONTINUE AUGUST 3, 2023
16 DARRELL WAYNE SMITH,) STATUS CONFERENCE TO OCTOBER 26, 2023
17 Defendant.) AND TO EXCLUDE TIME UNDER THE SPEEDY
18) TRIAL ACT AND [PROPOSED] ORDER

19 On June 15, 2023, the above-captioned was reassigned to the Honorable Yvonne Gonzalez
20 Rogers. The case is currently set for a status conference on August 3, 2023, at 2:00 p.m. The
21 government has made multiple discovery productions to the defense, which the defense is reviewing.
22 The government intends to make additional discovery productions in the near future. As a result,
23 counsel for the United States and counsel for the defendant jointly stipulate and request that the
24 August 3, 2023 status conference be continued to October 26, 2023 at 2:00 p.m. The defendant
25 currently resides in Florida, and therefore requests that the status conference be conducted via Zoom to
26 avoid traveling to the Northern District of California.

27 The government and counsel for the defendant have agreed that time be excluded under the
28 Speedy Trial Act so that defense counsel can continue to prepare. The government has produced

1 discovery and defense counsel needs time to review the discovery to adequately prepare Mr. Smith's
2 case. For these reasons, the parties stipulate and agree that excluding time from August 3, 2023 to
3 October 26, 2023 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).
4 The parties further stipulate and agree that the ends of justice served by excluding time from August 3,
5 2023 to October 26, 2023 from computation under the Speedy Trial Act outweigh the best interests of
6 the public and the defendant in a speedy trial. 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv).

7 The undersigned Assistant United States Attorney certifies that he has obtained approval from
8 counsel for the defendant to file this stipulation, request, and proposed order.

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10 IT IS SO STIPULATED.

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12 DATED: August 1, 2023

/s/ Andrew Paulson
ANDREW PAULSON
Assistant United States Attorney

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14
15 DATED: August 1, 2023

/s/ Naomi Chung
NAOMI CHUNG
Attorney for the Defendant

1 **PROPOSED ORDER**

2 The status conference currently set for August 3, 2023 is hereby continued to October 26, 2023
3 at 2:00 p.m. The hearing will occur via Zoom. Based upon the representations of counsel and for good
4 cause shown, the Court finds that failing to exclude the time from August 3, 2023 to October 26, 2023
5 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective
6 preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv). The Court
7 further finds that the ends of justice served by excluding the time from August 3, 2023 to October 26,
8 2023 from computation under the Speedy Trial Act outweighs the best interests of the public and the
9 defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED
10 that the time from August 3, 2023 to October 26, 2023 shall be excluded from computation under the
11 Speedy Trial Act.

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13 IT IS SO ORDERED.

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15 DATED: August 2, 2023

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17 THE HONORABLE YVONNE GONZALEZ ROGERS
18 United States District Judge
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